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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

**CERTIFICATE OF NO OBJECTION TO TRUSTEE'S MOTION
AND MEMORANDUM TO AFFIRM HIS DETERMINATIONS
DENYING CLAIMS OF CLAIMANTS HOLDING INTERESTS IN
THE WHITMAN PARTNERSHIP, THE LUCKY COMPANY, THE PETITO
INVESTMENT GROUP, AND THE HARWOOD FAMILY PARTNERSHIP**

Irving H. Picard (the "Trustee"), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* and the estate of Bernard L. Madoff, by and through his

undersigned counsel, submit this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On July 16, 2015, the Trustee filed the Motion and Memorandum to Affirm his Determinations Denying Claims of Claimants Holding Interests in Whitman Partnership, the Lucky Company, the Petito Investment Group, and the Harwood Family Partnership (the “Motion”) (ECF No. 10704).

2. The deadline for filing objections to the Motion expired on July 29, 2015 at 4:00 p.m. Upon agreement of the Trustee, the Bankruptcy Court extended the deadline to object to the Motion for the clients of Becker & Poliakoff until August 3, 2015. A hearing on the Motion has been scheduled for August 26, 2015 at 10:00 a.m.

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to (i) claimants listed in Exhibit 2 annexed to the supporting Declaration of Vineet Sehgal (ECF No. 10706); (ii) all parties included in the Master Service List as defined in the Order Establishing Notice Procedures (ECF No. 4560); (iii) all parties that have filed a notice of appearance in this case; (iv) the SEC; (v) the IRS; (vi) the United States Attorney for the Southern District of New York; and (vii) SIPC, pursuant to the Order Establishing Notice Procedures (ECF No. 4560).

4. Counsel for the Trustee has reviewed the Court’s docket not less than forty-eight (48) hours after expiration of the time to file an objection, as extended, and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon. Additionally, no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion.

5. An electronic copy of a proposed order (the “Order”), that is substantially in the form of the proposed order that was annexed to the Motion will be submitted to the Court, along

with this certificate.

6. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing, but notes that the Claimants are both pro se and represented by counsel.

Dated: New York, New York
August 13, 2015

By: /s/David J. Sheehan
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Liquidation of Bernard L. Madoff Investment
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